

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

TERRY RAY SNOW,

Petitioner,

V.

**BILLY MITCHEM, Warden;
ATTORNEY GENERAL FOR THE
STATE OF ALABAMA,**

Respondents.

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) CIVIL NO. 7:08-CV-76-VEH-PWG

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on December 2, 2008, recommending that the petition for writ of habeas corpus be dismissed as untimely. The parties were allowed an opportunity to file objects. No objections have been filed to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be **DISMISSED** as untimely. A Final Judgment will be entered.

DONE this the 8th day of January, 2009.

A handwritten signature in cursive script, appearing to read "V. Emerson Hopkins", written in black ink.

VIRGINIA EMERSON HOPKINS

United States District Judge